

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TRESTON IRBY,

Plaintiff,

-against-

RN'D DISTRIBUTION LLC and DISTROKID LLC,

Defendants.

1:25-cv-3355-MKV

ORDER

MARY KAY VYSKOCIL, United States District Judge:

Plaintiff initiated this action by filing a complaint on April 23, 2025 [ECF No. 1]. He thereafter filed proof of service indicating that Defendant RN'D Distribution LLC ("RND") was required to respond to the complaint by June 17, 2025 [ECF No. 15]. The Court, on June 30, 2025, issued an Order To Show Cause, directing Plaintiff to file a letter with respect to Plaintiff's failure to prosecute this action [ECF No. 17]. Plaintiff responded to the Court's Order to Show Cause [ECF No. 26] and shortly thereafter moved for a default judgment [ECF No. 27].

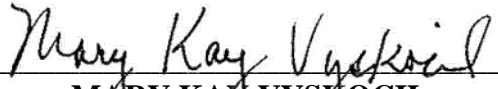
In addition to filing his motion for default judgment, Plaintiff filed a Proposed Order to Show Cause without emergency relief which proposes a telephone conference on Plaintiff's default motion for August 4, 2025 at 11:00 AM. [ECF No. 33]. The Court will not endorse the proposed Order and there will not be a telephone conference on August 4, 2025 at 11:00 AM in this matter. The Court will review Plaintiff's motion for default judgment [ECF No. 27] and evaluate the motion and the need for any further conferences in due course.

Plaintiff and counsel are on notice that failure to comply with court orders, the Federal Rules of Civil Procedure, the Local Rules, and this Court's Individual Rules of Practice may result in sanctions, including: monetary sanctions on counsel and Plaintiff;

preclusion of claims, evidence, and motion practice; and dismissal with prejudice for failure to prosecute.

SO ORDERED.

Date: July 15, 2025
New York, NY



MARY KAY VYSKOCIL
United States District Judge